

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA

DUSTIN RAY YOUNG,)
)
Plaintiff,)
)
v.) Case No. 08-
)
AMERICAN EDUCATION SERVICES,)
)
Defendant.)

COMPLAINT

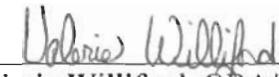
COMES NOW the Plaintiff, Dustin Ray Young, and states the following in support of his Complaint against Defendant American Education Services:

1. Plaintiff filed his chapter 7 bankruptcy petition in the Western District of Oklahoma on August 25, 2004. He received a discharge of his debts of December 8, 2004.
2. At the time of his bankruptcy filing, Plaintiff held two private student loans with Defendant.
3. Defendant has been notified of Plaintiff's bankruptcy filing and discharge. However, Defendant states that the student loans were not discharged in Plaintiff's bankruptcy.
4. Defendant has continued to send Plaintiff collection notices for the student loans since it was notified of Plaintiff's bankruptcy filing and discharge.
5. The student loans Plaintiff holds with Defendant are not for an educational benefit, overpayment, or loan made, insured or guaranteed by a governmental unit, or made under any program funded in whole or in part by a governmental unit or nonprofit institution, or for an obligation to repay funds received as an educational benefit, scholarship, or stipend as required to be non-dischargeable pursuant to 11 U.S.C. §523(a)(8).

6. Plaintiff requests that this Court determine the dischargeability of his student loan debt pursuant to Federal Rule of Bankruptcy Procedure 4007(a), and that his student loans be determined discharged.

7. Plaintiff requests that this Court hold Defendant in contempt of court for its continued collection attempts after being notified of the discharge order.

WHEREFORE, Plaintiff prays that his student loan debts be held discharged in bankruptcy, that Defendant be held in contempt of court, that he be granted attorney fees and costs, and for such other and further relief as the Court deems appropriate.



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